

jinmuetal

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FILED

DISTRICT COURT OF GUAM

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MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

05-00072

UNITED STATES OF AMERICA,	)	CRIMINAL CASE NO.
)	
Plaintiff.	)	<u>INDICTMENT</u>
)	
vs.	)	CONSPIRACY TO SMUGGLE ALIENS
	)	[8 U.S.C. §§ 1324(a)(1)(A)(i) & (v)(I) &
JIN MU,	)	(V)(II) and 6 U.S.C. §§ 251 & 557] (Count I)
YI XU CHEN,	)	ALIEN SMUGGLING
XIU YAN LI, and	)	[8 U.S.C. § 1324(a)(1)(A)(i) and 18 U.S.C.
RONG HUA TONG,	)	§ 2 and 6 U.S.C. §§ 251 & 557] (Counts II-X)
	)	IMPROPER ENTRY BY ALIEN
Defendants.	)	[8 U.S.C. §§ 1325(a)(1) & (2)] (Count XI)

THE GRAND JURY CHARGES:

COUNT I - CONSPIRACY TO SMUGGLE ALIENS

On or about February 27, 2004, within the District of Guam and elsewhere, the defendants, JIN MU and YI XU CHEN, knowing that nine persons were aliens, to wit: Hui Fang Ling, Wei Shun Ye, Qiu Xian Lin, Hai Xuan Zhou, Qing Di Hu, Xiao Jian Yang, Mian Duo Chen, Xiu Yan Li and Rong Hua Tong, did knowingly and willfully conspire to bring said aliens to the United States at a place other than a designated port of entry for the purpose of commercial advantage and private financial gain in violation of Title 8, United States Code, Section 1324(a)(1)(A)(i) and to aid and abet the commission of this conspiracy in violation of Title 8,

1 United States Code, Sections 1324(a)(1)(A)(i) and (v)(I) and (v)(II) and Title 6, United States
2 Code, Sections 251 and 557.

3 **COUNT II - ALIEN SMUGGLING**

4 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
5 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Hui Fang Ling, did bring
6 said alien to the United States at a place other than a designated port of entry for the purpose of
7 commercial advantage and private financial gain, in violation of Title 8, United States Code,
8 Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2; and,
9 Title 6, United States Code, Sections 251 and 557.

10 **COUNT III - ALIEN SMUGGLING**

11 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
12 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Wei Shun Ye, did bring
13 said alien to the United States at a place other than a designated port of entry for the purpose of
14 commercial advantage and private financial gain, in violation of Title 8, United States Code,
15 Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2; and,
16 Title 6, United States Code, Sections 251 and 557.

17 **COUNT IV - ALIEN SMUGGLING**

18 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
19 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Qiu Xian Lin, did bring
20 said alien to the United States at a place other than a designated port of entry for the purpose of
21 commercial advantage and private financial gain, in violation of Title 8, United States Code,
22 Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2; and,
23 Title 6, United States Code, Sections 251 and 557.

24 **COUNT V - ALIEN SMUGGLING**

25 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
26 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Hai Xuan Zhou, did
27 bring said alien to the United States at a place other than a designated port of entry for the
28 purpose of commercial advantage and private financial gain, in violation of Title 8, United States

1 Code, Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2;
2 and, Title 6, United States Code, Sections 251 and 557.

3 **COUNT VI - ALIEN SMUGGLING**

4 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
5 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Qing Di Hu, did bring
6 said alien to the United States at a place other than a designated port of entry for the purpose of
7 commercial advantage and private financial gain, in violation of Title 8, United States Code,
8 Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2; and,
9 Title 6, United States Code, Sections 251 and 557.

10 **COUNT VII - ALIEN SMUGGLING**

11 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
12 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Xiao Jian Yang, did
13 bring said alien to the United States at a place other than a designated port of entry for the
14 purpose of commercial advantage and private financial gain, in violation of Title 8, United States
15 Code, Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2;
16 and, Title 6, United States Code, Sections 251 and 557.

17 **COUNT VIII - ALIEN SMUGGLING**

18 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
19 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Mian Duo Chen, did
20 bring said alien to the United States at a place other than a designated port of entry for the
21 purpose of commercial advantage and private financial gain, in violation of Title 8, United States
22 Code, Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2;
23 and, Title 6, United States Code, Sections 251 and 557.

24 **COUNT IX - ALIEN SMUGGLING**

25 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
26 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Xiu Yan Li, did bring
27 said alien to the United States at a place other than a designated port of entry for the purpose of
28 commercial advantage and private financial gain, in violation of Title 8, United States Code,

1 Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2; and,
2 Title 6, United States Code, Sections 251 and 557.

3 **COUNT X - ALIEN SMUGGLING**

4 On about February 27, 2004, within the District of Guam and elsewhere, the defendants,
5 JIN MU and YI XU CHEN, knowing that a person was an alien, to wit: Rong Hua Tong, did
6 bring said alien to the United States at a place other than a designated port of entry for the
7 purpose of commercial advantage and private financial gain, in violation of Title 8, United States
8 Code, Sections 1324(a)(1)(A)(i) and 1324(a)(1)(B)(i); Title 18, United States Code, Section 2;
9 and, Title 6, United States Code, Sections 251 and 557.

10 **COUNT XI - IMPROPER ENTRY BY ALIEN**


11 On February 27, 2004, within the District of Guam, the defendants, XIU YAN LI and
12 RONG HUA TONG, did knowingly and intentionally enter or attempt to enter the United States
13 at a time or place other than as designated by immigration officers; and knowingly and
14 intentionally eluded examination or inspection by immigration officers, in violation of Title 8,
15 United States Code, Sections 1325(a)(1) and (2).

16 DATED this 5th day of October, 2005.

17 A TRUE BILL.

18 
19
20 Foreperson

21 LEONARDO M. RAPADAS
22 United States Attorney
23 Districts of Guam and NMI

24 By: 
25 KARON V. JOHNSON
26 Assistant U.S. Attorney

27 
28 RUSSELL C. STODDARD
First Assistant U.S. Attorney